

EXHIBIT “R”

From: GARY LIGHTMAN garylighman@lightmanlaw.com
Subject: Fwd: Zekaria failure to comply with Judge Younge 6/13/24 Order
Date: June 27, 2024 at 8:01 AM
To: Pat Healey phealey@rebarkelly.com
Cc: GARY LIGHTMAN ltag8r@me.com, Glenn Manochi gmanochi@lightmanlaw.com, Kim DiTomaso kditomaso@lightmanlaw.com
Bcc: Dan Scully Dans@thesafetyhouse.com

Patrick,

Zekaria's "Affirmation" attached to your below email is inconsistent with and directly contrary to her testimony that she gave at her sworn deposition on April 2, 2024. At her 4/2 deposition, she swore that she printed out a copy of the February 2022 escrow/retainer agreement, and that it was among her papers in her office. So there was a hard copy of that agreement, as well as another copy in her computer. There actually should be two copies of that Agreement in her computer — one in her word files, and another attached to an email or text she sent to Gary Weiss.

Please contact us at your earliest convenience, so that we can make arrangements to have her computer searched by a forensic IT expert (unless you are willing to stipulate that Zekaria destroyed that evidence in this case).

Also, several times we asked you for available dates for the Zekaria deposition, but you refused to provide us with any dates. If as you claim you are not available on July 5, then please let us know, by the end of the day today, which of the following dates you are available: July 2, 3, 6, 7, 8, or 9. Otherwise, Zekaria should appear on 7/5 as scheduled. (This is without prejudice to and without a waiver of any and all rights, remedies, claims and demands to which plaintiff is or may be entitled.)

We look forward to hear back from you, **today**.

thx
 Gary Lightman
 cell 215-760-3000

Begin forwarded message:

From: Patrick Healey <phealey@rebarkelly.com>
Subject: RE: Zekaria failure to comply with Judge Younge 6/13/24 Order
Date: June 27, 2024 at 7:30:27 AM EDT
To: Gary Lightman <garylighman@lightmanlaw.com>
Cc: Kimberly Tyler <kimtyler255@gmail.com>, "G. Manochi" <gmanochi@lightmanlaw.com>, GARY LIGHTMAN <ltag8r@me.com>, "Laver, Seth L." <slaver@goldbergsegalla.com>, "Joseph Ross (jross@goldbergsegalla.com)" <jross@goldbergsegalla.com>

Gary:

Attached please find an Affirmation from Ms. Zekaria regarding the Court's Order of June 13, 2024.

Regarding your unilateral scheduling of Ms. Zekaria's deposition, please be advised that I am not available for a deposition on July 5, 2024.

Pat Healey



REBAR | KELLY

Patrick J. Healey
Partner

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From: Gary Lightman <garyl@lightmanlaw.com>
Sent: Tuesday, June 25, 2024 11:10 PM
To: Patrick Healey <phealey@rebarkelly.com>
Cc: Kimberly Tyler <kimtyler255@gmail.com>; G. Manochi <gmanochi@lightmanlaw.com>; GARY LIGHTMAN <ltag8r@me.com>
Subject: Zekaria failure to comply with Judge Younge 6/13/24 Order

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Patrick,

Zekaria failed to comply with Judge Younge's 6/13/24 Order [ECF 174], requiring her to provide us with the February 2022 retainer/escrow agreement, within 10 days from that Order, or by yesterday.

We will be filing a Supplement to Plaintiff's Cross-Motion for Contempt and for Sanctions to bring this additional contempt to the Court's attention. At the hearing scheduled for July 10, we intend to request that the Court enter a default judgment against the Zekaria Defendants for \$1,965,600.00, reserving the right to obtain additional punitive damages at trial.

We also noticed Zekaria's deposition for July 5, 2024. Please confirm by tomorrow whether she will be appearing for her deposition on July 5, as scheduled. If we do not hear back from you by tomorrow, then we will assume that she in fact will be appearing for her deposition as scheduled on July 5.

thx
Gary Lightman
cell 215-760-3000

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Gary Lightman, Esquire
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We are pleased to announce that our New York office has relocated, and therefore our address has changed.

Please note, our New York office address is now:

256 West 36th Street
Suite 900
New York, NY 10018



DZ Affirmation
re Agre...ent.pdf

